

**FILED**

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**Board of Vocational Nursing  
and Psychiatric Technicians**

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10 **BEFORE THE**  
11 **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. VN-2005-2497

14 JANNETTE QUEZADA, AKA  
15 JANNETTE FLORES, AKA  
16 JANNETTE JARAMILLO  
1723 Brea Boulevard  
Fullerton, CA 92833

**ACCUSATION**

17 Vocational Nurse License No. VN 202817

18 Respondent.

19  
20 Complainant alleges:

21 **PARTIES**

22 1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this  
23 Accusation solely in her official capacity as the Executive Officer of the Board of Vocational  
24 Nursing and Psychiatric Technicians ("Board"), Department of Consumer Affairs.

25 2. On or about February 20, 2003, the Board issued Vocational Nurse  
26 License Number VN 202817 to Jannette Quezada, also known as Jannette Flores, also known as  
27 Jannette Jaramillo ("Respondent"). The vocational nurse license expired on April 30, 2006.

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## STATUTORY PROVISIONS

3. Section 2875 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline the holder of a vocational nurse license for any reason provided in Article 3 (commencing with section 2875) of the Vocational Nursing Practice Act.

4. Section 118, subdivision (b), of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated. Under section 2892.1 of the Code, the Board may renew an expired license at any time within four years after the expiration.

5. Section 2878 of the Code states, in pertinent part:

The Board may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code, § 2840, et seq.)] for any of the following:

(a) Unprofessional conduct. . .

(f) Conviction of a crime substantially related to the qualifications, functions, and duties of a licensed vocational nurse, in which event the record of the conviction shall be conclusive evidence of the conviction.

6. Section 2878.5 of the Code states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter, it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist or podiatrist administer to himself or herself or furnish or administer to another, any controlled substance as defined in Division 10 of the Health and Safety Code, or any dangerous drug as defined in Section 4022.

(b) Use any controlled substance as defined in Division 10 of the Health and Safety Code, or any dangerous drug as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public, or to the extent that the use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.



1 (c) Be convicted of a criminal offense involving  
2 possession of any narcotic or dangerous drug, or the prescription,  
3 consumption, or self-administration of any of the substances  
4 described in subdivisions (a) and (b) of this section, in which event  
5 the record of the conviction is conclusive evidence thereof.

6 7. Code section 4060 provides, in pertinent part,

7 No person shall possess any controlled substance, except  
8 that furnished to a person upon the prescription of a physician,  
9 dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor  
10 pursuant to Section 3640.7, or furnished pursuant to a drug order  
11 issued by a certified nurse-midwife pursuant to Section 2746.51, a  
12 nurse practitioner pursuant to Section 2836.1, a physician assistant  
13 pursuant to Section 3502.1, a naturopathic doctor pursuant to  
14 Section 3640.5, or a pharmacist pursuant to either subparagraph  
15 (D) of paragraph (4) of, or clause (iv) of subparagraph (A) of  
16 paragraph (5) of, subdivision (a) of Section 4052.

### 17 COST RECOVERY

18 8. Section 125.3 of the Code provides, in pertinent part, that the Board may  
19 request the administrative law judge to direct a licensee found to have committed a violation or  
20 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
21 and enforcement of the case.

### 22 9. DRUG

23 "Methamphetamine" is a Schedule II controlled substance as designated by  
24 Health and Safety Code section 11055(d)(2).

### 25 FIRST CAUSE FOR DISCIPLINE

26 (Criminal Convictions)

27 10. Respondent's vocational nurse license is subject to discipline under Code  
28 section 2878, subdivision (f), in that Respondent has been convicted of crimes that are  
substantially related to the qualifications, functions, and duties of a licensed vocational nurse, as  
follows:

a. On June 19, 2007, in the Superior Court, North Justice Center, Orange  
County, in the case entitled *People of the State of California v. Jannette Quezada* (Super. Ct., N.  
Justice Ctr., Orange Cty., 2007, Case No. 07NM00419), Respondent was convicted by the Court  
on her plea of guilty of violating Health and Safety Code, section 11550, subdivision (a)

1 (unlawful use of, and under the influence of, methamphetamine, a controlled substance). The  
2 violation occurred on December 1, 2006.

3 b. On August 29, 2006, in the Superior Court, North Justice Center, Orange  
4 County, in the case entitled *People of the State of California v. Jannette Quezada* (Super. Ct., N.  
5 Justice Ctr., Orange Cty., 2007, Case No. 06NF2256), Respondent was convicted by the Court on  
6 her plea of guilty of violating Health and Safety Code, section 11377, subdivision (a) (possession  
7 of methamphetamine, a controlled substance); Health and Safety Code, section 11550,  
8 subdivision (a) (unlawful use of, and under the influence of, methamphetamine, a controlled  
9 substance); and Health and Safety Code, section 11364 (possession of controlled substance  
10 paraphernalia). The violations occurred on June 24, 2006.

11 c. On April 2, 2001, in the Superior Court, Central Justice Center, Orange  
12 County, in the case entitled *People of the State of California v. Jannette Quezada* (Super. Ct.,  
13 Central Justice Ctr., Orange Cty., 2001, Case No. TU00CM12553), Respondent was convicted  
14 by the Court on her plea of guilty of violating Health and Safety Code, section 23152,  
15 subdivision (a), and (b) (driving under the influence of alcohol with blood alcohol level of .08 or  
16 more).

## 17 SECOND CAUSE FOR DISCIPLINE

18 (Use of Alcohol - Danger to Others)

19 11. Respondent's vocational nurse license is subject to discipline under Code  
20 section 2878, subdivision (a), on the grounds of unprofessional conduct, as defined in Code  
21 section 2878.5, subdivision (b), in that, while licensed as a vocational nurse, on or about  
22 November 25, 2000, Respondent used alcoholic beverages in a manner dangerous or injurious to  
23 herself and others, as more fully set forth in paragraph 10, subparagraph c, above.

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1                   2.       Ordering Jannette Quezada, also known as Jannette Flores, also known as  
2 Jannette Jaramillo, to pay the Board of Vocational Nursing and Psychiatric Technicians the  
3 reasonable costs of the investigation and enforcement of this case, pursuant to Code section  
4 125.3; and,

5                   3.       Taking such other and further action as deemed necessary and proper.  
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7 DATED: January 24, 2008  
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TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer  
Board of Vocational Nursing and Psychiatric Technicians  
Department of Consumer Affairs  
State of California  
Complainant

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